

**THE VIRGINIA BOARD OF SOCIAL WORK  
MINUTES  
Friday, October 27, 2017**

**TIME AND PLACE:** A meeting of the Virginia Board of Social Work (Board) convened on Friday, October 27, 2017, at the Department of Health Professions (DHP), 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 1, Richmond, Virginia.

**PRESIDING OFFICER:** Yvonne Haynes, LCSW, Chair

**BOARD MEMBERS PRESENT:** Canek Aguirre, Citizen Member  
Angelia Allen, Citizen Member  
Jamie Clancey, L.C.S.W.  
Maria Eugenia del Villar, L.C.S.W.  
Dolores Paulson, L.C.S.W., Ph.D.  
Gloria Manns, L.C.S.W.  
John Salay, L.C.S.W., Vice-Chair  
Joseph Walsh, L.C.S.W., Ph.D.

**BOARD MEMBERS ABSENT:** None

**STAFF PRESENT:** Sarah Georgen, Licensing Manager  
Lisa Hahn, DHP Chief Deputy Director  
Jaime Hoyle, Executive Director  
Jennifer Lang, Deputy Executive Director  
Elaine Yeatts, DHP Senior Policy Analyst

**BOARD COUNSEL PRESENT:** James E. Rutkowski, Assistant Attorney General

**OTHERS PRESENT:** Elizabeth Carter, Ph.D, Director, HealthCare Workforce Data Center; Executive Director, Virginia Board of Health Professions

**CALL TO ORDER:** Ms. Haynes called the meeting to order.

**ESTABLISHMENT OF A QUORUM:** Ms. Georgen announced that seven members of the Board were present; therefore, a quorum was established.

**ADOPTION OF AGENDA:** Ms. Haynes requested that Dr. Carter provide the Healthcare Workforce Data Center Presentation following the Director's Report.

Upon a motion by Dr. Walsh which was properly seconded, the agenda was accepted as amended. The motion passed.

**PUBLIC COMMENT:** Debra Riggs, National Association of Social Workers (NASW)-VA Chapter, provided public comment in regards to NASW-VA members that reported difficulty with supervisor conduct while under board-approved supervision toward

LCSW licensure. She requested the Board to consider making changes to the Regulations concerning the potential loss of supervised experience hours if a supervisee makes a complaint against their supervisor.

Joseph Lynch, Virginia Society of Clinical Social Workers, provided a summary of his public comment in written form.

**EMERGENCY EGRESS:** Ms. Haynes announced the Emergency Egress Procedures.

**MISSION STATEMENT:** Ms. Haynes read the mission statement of the Department of Health Professions, which was also the mission statement of the Board.

**APPROVAL OF MINUTES:** Dr. Paulson requested a change to the Regulatory/Legislative Committee Report to note that staff and Dr. Walsh, not the Regulatory Committee, collaborated with the stakeholders at the March 3, 2017 Stakeholder meeting. Additionally, she requested the following sentence was added to the Regulatory/Legislative Committee Report and New Business: "Dr. Paulson voiced her approval of the product of the meeting developed by staff, the Chair of the Regulatory Committee and the VSCSW and NASW but had concern about the process used in developing that product. Dr. Paulson and the other members of the Regulatory Committee were not in attendance."

Mr. Salay requested a change to New Business to identify the stakeholders in attendance at the March 3, 2017 Stakeholder meeting.

Upon a motion by Ms. Clancey which was properly seconded, the meeting minutes from May 11, 2017 were approved as amended. Ms. Allen was not present for the vote.

**DIRECTOR'S REPORT:** Ms. Hahn reported that the Department of Health Professions has leased additional space on the first floor of the Perimeter Center for overflow of current departments, and announced the plans to rearrange the Behavioral Sciences Boards to provide for more space. She reported that the move is expected in the beginning of 2018.

Ms. Hahn stated that DHP requested and was granted a change in how time is counted for disciplinary cases in the Virginia Performs goals. The days a case has been in a continued status for pending informal conferences and formal hearings will not be counted as part of the total days a case is pending.

Ms. Hahn announced that the agency is working on training videos for Board Members which will include training on confidentiality, Sanctioning Reference Points, probable cause, conflict of interest, and chairing Board meetings and hearings.

Ms. Hahn stated that DHP has hired Virginia Commonwealth University and marketing to update the DHP logo along with the participation of several board members and DHP staff. The new logo is expected to be released in 2018.

**HEALTHCARE WORKFORCE  
DATA CENTER  
PRESENTATION:**

Dr. Carter reported on the Virginia Licensed Clinical Social Worker Workforce: 2017 report. She provided highlights of the survey to include trends in the growth of licensees and workforce in the profession.

Mr. Salay inquired about the Qualified Mental Health Providers (QMHPs) that are Bachelor's of Social Work (BSW) or Master's of Social Work (MSW) degree holders. It was reported that QMHPs will be surveyed following the renewal of their registration, but it would be several years before this data would be available.

**REGULATORY/LEGISLATIVE  
UPDATE:**

Ms. Yeatts provided the Board with a copy of proposed regulations and noted that the required public comment was complete and was included in the agenda packet for the Board's review. She noted that there would not be an impact to Medicaid with change to the definition of "clinical social work services."

Upon a motion by Mr. Salay which was properly seconded, the Board adopted the proposed amendments as final without any change in regards to the definition of clinical social work services and requirement for supervision of experience to reactivate or reinstate a license.

**CHAIRMAN'S REPORT:**

Ms. Haynes reported that she will update the Board with her Chairman's Report during her Board of Health Professions report.

**BOARD COUNSEL'S  
REPORT:**

Mr. Rutkowski discussed an issue related to expert testimony that arose based upon a recent case involving the Board of Medicine, where a licensee respondent wanted to testify on her own behalf as an expert witness. As a result of the ruling of the Court of Appeals in that case, Mr. Rutkowski presented to the Board two proposed standards to be considered by the Board for admissibility of expert testimony in hearings. Although this issue may be less common for the Board of Social Work, all DHP Boards are advised to adopt a standard for expert witness testimony at hearings. He stated that the Attorney General's Office recommended the adoption of Standard #1 (Traditional Virginia Standard).

Upon a motion by Mr. Aguirre and properly seconded, the Board voted to adopt Standard #1 as presented as the standard for expert witness. The vote was unanimous.

**EXECUTIVE DIRECTOR'S  
REPORT:**

Ms. Hoyle announced that Mr. Salay was reappointed to the Board for another term and offered congratulations to him.

Ms. Hoyle announced that the budget as of June 30, 2017 and September 30, 2017 was included in agenda packet, as well as, a letter from Dr. Brown regarding Revenue and Expenditure Analysis.

She stated that the mid-level licensure legislation was approved in the Governors package and would be included for the 2018 General Assembly.

Ms. Hoyle stated that she and Ms. Haynes would be in attendance of the Association of Social Work Boards (ASWB) conference in November 2017 which will be fully funded by the ASWB. Ms. Haynes' funding was accepted as part of her participation on several ASWB Committees and Ms. Hoyle's funding was accepted as a staff scholarship.

Ms. Hoyle announced that Charles Giles, DHP Finance Budget Manager, would attend next board meeting to speak to the Board's budget.

Ms. Hoyle provided a staffing update regarding the upcoming short-term leave of Ms. Georgen. Several Board members inquired about the possibility of additional staff for the Board of Social Work. Ms. Hahn reported that DHP is allotted a certain amount of positions and to receive additional staff would require new legislation from the General Assembly. The Board thanked Ms. Georgen for her continued hard work on behalf of the Board.

**DEPUTY DIRECTOR'S  
REPORT:**

Ms. Lang announced a formal hearing following the Board meeting.

She reported a change of process regarding informal conferences, in that the Administrative Proceedings Division adjudication specialist would not be included in closed session to reduce the appearance of impropriety.

Ms. Lang reported that the disciplinary statistics were included in the agenda packet.

**LICENSING MANAGER'S  
REPORT:**

Ms. Georgen reported that the licensing statistics were included in the agenda packet.

Ms. Georgen reported that the agency satisfaction survey reported a 93.2% satisfaction rate for the 2017 fiscal year and included the comments of the survey for Board member review to ensure transparency.

Ms. Georgen also reminded the Board that the 2018 renewals were going green. She reminded the Board members and the public that paper renewal notices will no longer be mailed by the Board. She noted that email notices will be sent to all licensees at least 45 days prior to the renewal deadline and reminded all licensees to ensure that their email and mailing addresses were up-to-date with the Board.

She announced the policy implementation regarding compensation for members of appointed bodies. She asked each of the Board members to refer to the Department of Health Professions policy (no. 76-90.04) for more information.

#### **COMMITTEE REPORTS:**

##### *Regulatory/Legislative Committee Report*

Dr. Walsh reported on the last Regulatory Committee meeting, which was held on October 26, 2017. He stated that the Committee is planning to review several draft guidance documents at their next meeting in February 2018 for Board approval. He also reported on a draft guidance document with the Board of Psychology that was not supported by Regulatory Committee members. Dr. Walsh plans to provide the Board with a recommended written response to the Board of Psychology following the next Regulatory Committee meeting.

##### *Credentials Committee Report*

Mr. Salay noted that there was nothing to report.

##### *Special Conference Committee Report*

Ms. Haynes noted that there was nothing to report.

##### *Board of Health Professions Report*

Ms. Haynes reported that her report and draft meeting minutes of the Board of Health Professions were included in the agenda packet.

Ms. Haynes reported on the Regulatory Committee of the Board of Health Professions and the review of Certified Anesthesiology Assistants in the Commonwealth. She reported that the Board received a large amount of public comment regarding this certification type; however, the Regulatory Committee recommended to the Board of Health Professions to not pursue the licensing of Certified Anesthesiology Assistants at that time.

#### **UNFINISHED BUSINESS:**

##### *By-Laws Review/Summary of Delegated Tasks:*

It was recommended that the Credentials Committee under Article III: Committees – B. Standing Committees should be removed and that credentials cases should be evaluated equivalently to probable cause reviews.

Ms. Haynes recommended further discussion of the By-Laws by the Regulatory Committee.

#### **NEW BUSINESS:**

##### *2018 Meeting Dates Confirmation:*

Ms. Haynes announced that the proposed 2018 meeting dates were listed in the agenda packet. With no members in opposition of the dates provided, Ms. Haynes announced that the following meeting dates would occur in 2018:

*Regulatory Committee:*

February 1, 2018  
May 10, 2018  
August 9, 2018  
November 1, 2018

*Full Board Meeting:*

February 2, 2018  
May 11, 2018  
August 10, 2018  
November 2, 2018

**NEXT MEETING:**


Ms. Haynes announced that the next regularly scheduled full Board meeting would occur on February 2, 2018 at 10:00 a.m.

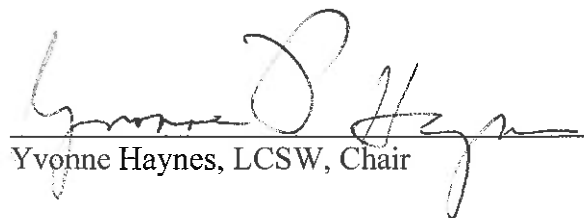
**ACTION ITEMS FOR NEXT BOARD MEETING:**

- Regulatory Committee Recommendations

**ADJOURNMENT:**

The meeting was adjourned at 12:08 p.m.

  
Jaime Hoyle, Executive Director

  
Yvonne Haynes, LCSW, Chair